REMARKS

Claims 9-19 are now pending in the application. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the remarks contained herein.

REJECTIONS UNDER 35 U.S.C. § 103

Claims 9-19 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Malik (US 6,748,067) in view of Dahari (US 2004/0076281). These rejections are respectfully traversed.

> Claim 9 recites:
>
> A method for providing a Virtual Private Network (VPN) service, comprising:
>
> A. receiving a call request for a VPN service from a user terminal, initiating a VPN service logic, determining that the user terminal has customized a prepaid service by a Service Control Point (SCP);
>
> B. providing, by the VPN service logic, the VPN service to the user terminal, charging the VPN service, and invoking a prepaid service logic for deducting according to a result of the charging from a prepaid account.

Malik at best appears to show (see Abstract and col. 3, lines 15-19) a method and system for providing pre-paid access to multiple Internet Service providers ("ISP"s) on the Internet. The system of Malik utilizes an Advanced Intelligent Network ("AIN") to set up and manage the Internet services provided by the ISPs. In the system of Malik, the pre-paid service is provided on the SCP while Internet services are provided on ISPs which are external entities of the SCP (see Fig. 2). In contrast, according to claim 9, both the VPN service and the pre-paid service are provided on the SCP.

Thus, Malik fails to teach or suggest the following elements recited in claim 9:

    ✓   initiating a VPN service logic by an SCP

    ✓   providing, by the VPN service logic, the VPN service, charging the VPN service, and invoking a prepaid service logic for deducting according to a result of the charging from a prepaid account

In the Action, the Examiner states that "*the initiating is read by checking to see whether the service is not blocked,*" and thus the Examiner alleges that the element of initiating a service logic is taught by Malik in col. 3, lines 30-57.

Applicant respectfully submits that this is a false reading of Malik. In particular, please refer to Malik, col. 3, lines 35-39, where it is clearly stated that "The database query... checks to see whether the caller has blocked access to the pay-per-use service, or has an unknown number." Thus, contrary to the Examiner's assumption regarding how blocked services are detected, Malik clearly teaches a different system and does not teach "initiating a service logic (or a VPN service logic) by an SCP."

Moreover, referring to Malik at col. 3, lines 40-43 and 50-53, it is clear for those skilled in this art that "checks to see whether the caller has blocked access..." is just to determine whether the call can be processed by the pre-paid or pay-per-use Internet service; neither the pre-paid service logic nor the Internet service logic is initiated at this time point, and thus it does not indicating initiating any service logic.

In the Action, the Examiner also states that Malik, at col. 3, line 59 - col. 4, line 8 teaches "providing, by the service logic, the service, charging the service, and invoking a prepaid service logic for deducting according to a result of the charging from a prepaid account." However, referring to col. 3, line 59 – col. 4, line 8, Malik teaches that: if the SCP determines that the caller is a pre-paid or a pay-per-use customer, it changes certain call parameter in the call setup message and instructs the SSP to continue processing the call with the new parameter, then, if the call was answered, the SSP notifies the SCP when the call is disconnected, and the SCP uses this information to track the subscriber's usage of the system for billing purpose, and the SCP subtracts the number of units used from the pre-paid units available for the subscriber.

Applicant respectfully submits that, although Malik teaches some steps related to charging and deducting, e.g., "track the subscriber's usage of the system for billing purpose," "subtracts the number of units used from the pre-paid units," and etc., Malik fails to teach the charging and deducting according to claim 9.

As discussed above, in the system of Malik, the pre-paid service is provided on the SCP while Internet services are provided on ISPs. Therefore, Malik at best teaches the pre-paid service logic on the SCP tracks (corresponding to charging) the subscriber's usage of the Internet service provided on the ISP for billing purpose and subtract (corresponding to deducting) the number of units used from the pre-paid units; Malik fails to teach the Internet service logic

charging the Internet service and invoking the pre-paid service logic for deducting from a prepaid account according to the result of the Internet service logic's charging.

Although the Examiner may regard the "Internet service" as equivalent to the "VPN service" in claim 9, this is not overly material. Even if "Internet service" in Malik is replaced by "VPN service," Malik still clearly fails to teach the VPN service logic charging the VPN service and invoking the pre-paid service logic for deducting from a prepaid account according to the result of the VPN service logic's charging.

Furthermore, with respect to "initiating a VPN service logic by an SCP" in claim 9, it can be seen that the VPN service logic should be on the SCP and the VPN service is provided by the VPN service logic on the SCP. However, in the system of Malik, the Internet service is provided by the ISP outside of the SCP. Therefore, Malik also fails to teach "providing, by the VPN service logic, the VPN service" as recited in claim 9.

Applicant further submits that Dahari fails to cure the deficiencies of Malik. Dahari teaches a solution for integrating different services from different equipment providers (see paragraph [0018]), where a mediating system is configured for identifying message definitions and information and creating unified message records (see paragraphs [0025]-[0030]), and an example (see paragraph [0050]) for a scenario of offering combined prepaid service and virtual number service is mentioned.

Applicant respectfully submits that the example given by Dahari, though related to offering combined prepaid service and virtual number service, fails to teach or give any hint about the method of providing prepaid VPN service in claim 9.

Referring to Dahari, paragraphs [0046]-[0050], it should be understood that the solution provided by Dahari for implementing the prepaid VPN service is that:

(i)   When the SSP identifies a prepaid call, the SSP initiates a request from the SCP regarding the subscriber's billing account, and the intermediating system analyzes the message, identifies the destinations SCP and creates the proper first request message (which will provide the virtual number translation) adapted to the protocol of a first designated SCP system and transmits it to the respective SCP;

(ii)   The first SCP system receives the message and performs a query. A response message according to the query result is transmitted as a response to the original SSP message, and the response message is intercepted by the

intermediating system, which analyzes the response, creates a second SCP message request (which will provide the prepaid service), and transmits the second message to the second SCP.

(iii)   The second SCP system performs a query and returns the result. A response message according to the query result is identified by the SSP source system. The proper response message adapted to the respective SSP protocol is created and transmitted to the respective SSP system which performs the respective switching operation based on the response information.

As can be seen, the above solution of Dahari does not teach any of: (i) providing both the VPN service and the prepaid service on the same SCP, (ii) charging the VPN service by the VPN service logic, or (iii) by the VPN service logic, invoking the prepaid service logic for deducting according to the result of the VPN service logic's charging from a prepaid account. Thus Dahari fails to teach the limitations of claim 9.

The Action also states that "the invention was made to incorporate the teaching of Dahari into view of Malik." However, Applicant respectfully submits that Malik and Dahari teach two totally different solutions for implementing certain prepaid service. Malik teaches a solution that the SCP providing the prepaid service manages and charges the Internet service provided on the ISP, while Dahari teaches a solution that the VPN service and the prepaid service are provided on different SCPs, and the intermediating system is adapted for creating unified message data records, identifying the message definitions and creating messages adapted to the respective SCP/SSP protocol which are then transmitted to the respective SCP/SSP. Based on the two different solutions, those skilled in this art would not understand how to incorporate the teaching of one of them into the other one to obtain a unified solution.

Furthermore, even assuming the combination of the VPN and prepaid services taught by Dahari and the teaching of Malik, those skilled in this art would still remain unaware of the following: (i) providing both the VPN service and the prepaid service on the same SCP, (ii) charging the VPN service by the VPN service logic, (iii) by the VPN service logic, invoking the prepaid service logic for deducting according to the result of the VPN service logic's charging from a prepaid account.

Thus, Malik and Dahari, individually or in combination, fail to teach or suggest the limitations of claim 9. In view of the foregoing, Applicant submits that claim 9 and its dependent claims 10-19 define over the art cited by the Examiner.

REGARDING "THE RESPONSE TO ARGUMENTS"

Applicant respectively submits that in the "Response to Arguments," the Action gives a generalized and incomplete reply to the applicant's argument. The Action does not give a specific response to all the Applicant's arguments, nor does it address the corresponding evidence filed November 5, 2008. For example, the arguments at page 2, lines 9-31, page 3, lines 1-5, and page 3, lines 21-28 in the second response filed November 5, 2008 have not been considered in the Action.

Specific response to these arguments and corresponding support is respectfully requested according to the MPEP §2145, which states that Office personnel should consider all rebuttal arguments and evidences presented by applicants, and the MPEP §2141 subsection V, which states that Office personnel should consider all rebuttal evidence that is timely presented by the applicants when reevaluating any obviousness determination.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested.

Respectfully submitted,

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